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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: W. BOLOGNA et al.

Application No: 10/089,796

Group Art Unit:

Filing Date: April 4, 2002

Examiner:

For: TREATING ENDOMETRIOSIS OR
INFERTILITY, OR IMPROVING FERTILITY

Attorney Docket No.: 801505-2199

SECOND PRELIMINARY AMENDMENT

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

Applicants request entry of the following amendments prior to examination on the merits of this application.

IN THE CLAIMS

Please cancel claims 11-12 and 23-35, without prejudice, and amend claims 1, 4, 6-7, 10, 14-15, and 22 as follows:

Sub C5
1. (Amended) An endometriosis or infertility treating, or fertility improving, pharmaceutical composition comprising:

(i) a therapeutically effective amount of a β -adrenergic agonist, and
(ii) a pharmaceutically acceptable bioadhesive carrier.

Sub C5
4. (Amended) The composition of claim 3, wherein the concentration of terbutaline is about 0.1% to about 0.4% weight/weight.

Sub C5
6. (Amended) An endometriosis or infertility treating, or fertility improving, pharmaceutical composition comprising a therapeutically effective amount of a β -adrenergic agonist.